

Return Date: May 26, 2010
Return Time: 10:00 a.m.

Rosemarie E. Matera
Kurtzman Matera, P.C.
Attorneys for Debtor
664 Chestnut Ridge Road
Spring Valley, NY 10977
(8456) 352-8800

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 13

EDDIE R. SANCHEZ and NATALIE J.
SANCHEZ,

Case No:10-22510(RDD)

Debtors.

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**NOTICE OF MOTION TO AVOID LIEN PURSUANT TO 11 U.S.C. §§ 506(a) AND
1322(b)(2) AND RECLASSIFYING CLAIM OF CITIMORTGAGE, INC.**

PLEASE TAKE NOTICE that upon the application of Eddie R. Sanchez and Natalie J. Sanchez, the debtors herein ("Debtors"), submitted herewith, the Debtors, by and through their attorneys, Kurtzman Matera, P.C., will move this Court before the Honorable Robert D. Drain, U.S. Bankruptcy Judge, at the United States Bankruptcy Court, 300 Quarrapos Street, White Plains, New York 10601, on May 26, 2010 at 10:00 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to 11 U.S.C. §§ 506(a) and 1322(b)(2) avoiding the lien held by CitiMortgage, Inc., and filed against the property located at 5 Castle Drive, Chestnut Ridge, New York 10977, which is wholly unsecured, and granting such other and further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that responsive papers, if any, should be filed with the Court, and served upon and received by the Office of the U.S. Trustee, 33 Whitehall Street, New York, New York 10004, the Chapter 13 Trustee, Jeffrey L. Sapis, Esq., 399 Knollwood Road, White Plains, New York 10603, and the offices of Kurtzman Matera, P.C., Attn: Rosemarie E. Matera,

Esq., 664 Chestnut Ridge Road, Spring Valley, New York 10977, no later than three (3) days prior to the return date herein and shall conform with the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that all Exhibits have been provided to the parties set forth below and will be available for review at the United States Bankruptcy Court on the return date and time of this motion.

Dated: Spring Valley, New York
April 28, 2010

Kurtzman Matera, P.C.
Attorneys for Debtor

By: /s/ Rosemarie E. Matera
Rosemarie E. Matera

TO:

Michelle R. Garcia.
Bankruptcy Specialist
CitiMortgage, Inc.
PO Box 140609
Irving, TX 75019-0609

Jeffrey L. Sapir, Esq.
Chapter 13 Trustee
399 Knollwood Road
White Plains, New York 10603